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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,953	08/20/2003	Takeshi Nishino	122.1565	4976
21171 7590 12/01/2009 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER DESIR, PIERRE LOUIS	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 12/01/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

**Application No.**

10/643,953

**Examiner**

PIERRE-LOUIS DESIR

**Applicant(s)**

NISHINO ET AL.

**Art Unit**

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/25/2009.
2. ☒ The allowed claim(s) is/are 1,9,10,17,20,23-25,27-29,31 and 33-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|--|

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Aaron Walker, Reg. No. 59,921, on 09/25/2009.

The application has been amended as follows:

1. (Currently amended) A pointing device that can be operated to move an operational object on a display screen in any 360-degree direction, comprising:

a control unit changing an operation mode of said pointing device according to a positional orientation of contents displayed on said display screen at the time said pointing device is operated,

wherein said control unit determines a direction in which said operational object can be moved on said display screen according to said operation mode to limit the movement of the operational object on the display screen to less than the 360-degree direction based on the positional orientation of contents displayed on the display screen, and wherein said control unit defines the direction in advance in which said operational object can be moved on said display screen, as a current direction in which said pointing device can be operated and has a moving amount adjusting means for moving said operation object by a predetermined step value wherein

the control unit outputs a signal to move the operational object in a predetermined manner in a menu representation on the display screen in accordance with a continuous signal from said pointing device for a predetermined time period.

9. (Currently amended) A pointing device according to claim 17 ~~30~~, wherein said moving amount adjusting means moves said operational object by the predetermined step value when the amount of operation of said pointing device takes the maximum value.

10. (Currently amended) A pointing device according to claim 17 ~~30~~, wherein said moving amount adjusting means move said operational object by the predetermined step value when the amount of operation of said pointing device exceeds a predetermined threshold value

23. (Currently amended) A method for controlling a pointing device that can be operated to move an operational object on a display screen in any 360-degree direction, comprising the controlling step of:

changing an operational mode of said pointing device in advance according to a positional orientation of contents displayed on said display screen at the time said pointing device is operated,

wherein a direction in which said operational object can be moved on said display screen is determined according to said operation mode to limit the movement of the operational object on the display screen to less than the 360-degree direction based on the positional orientation of contents displayed on the display screen, and wherein the direction in which said operational

object can be moved on said display screen is defined in advance as a current direction in which said pointing device can be operated, and said operational object is moved by a predetermined step value and a signal is output to move the operational object in a predetermined manner in a menu representation on the display screen in accordance with a continuous signal from said pointing device for a predetermined time period.

24. (Currently amended) A method for controlling a pointing device according to claim 31, wherein the pointing device can be operated to move said operational object at any speed, and wherein said controlling step has a ~~the~~ moving amount adjusting step of moving said operational object by a constant step value when said pointing device is operated in a predetermined operational mode.

25. (Currently amended) A mobile telephone, comprising:  
a pointing device that can be operated to move an operational object on a display screen in any 360-degree direction; and  
a control unit changing an operation mode of said pointing device according to a positional orientation of contents displayed on said display screen at the time said pointing device is operated,  
wherein said control unit determines a direction in which said operational object can be moved on said display screen according to said operation mode to limit the movement of the operational object on the display screen to less than the 360-degree direction based on the positional orientation of contents displayed on the display screen, and wherein said control unit defines the

direction in advance in which said operational object can be moved on said display screen, as a current direction in which said pointing device can be operated and has a moving amount adjusting means for moving said operation object by a predetermined step value wherein the control unit outputs a signal to move the operational object in a predetermined manner in a menu representation on the display screen in accordance with a continuous signal from said pointing device for a predetermined time period.

27. (Currently amended) A mobile telephone according to claim ~~25~~ 32, wherein said moving amount adjusting means move said operational object by the predetermined step value when the amount of operation of said pointing device takes the maximum value.

30. (Canceled).

32. (Canceled).

35. (Currently amended) A mobile communication apparatus, comprising:  
a pointing device configured to operate an operational object on a display screen of the mobile communication apparatus; and  
a control unit configured to switch an operation mode of the pointing device between a mode in which the operational object has 360-degree movement on the display screen and a mode in which the operational object is limited to less than 360-degree movement on the display screen according to an application that is running on the mobile communication apparatus at the time

the pointing device is operated, wherein said control unit defines the direction in advance in which said operational object can be moved on said display screen, as a current direction in which said pointing device can be operated and has a moving amount adjusting means for moving said operation object by a predetermined step value wherein the control unit outputs a signal to move the operational object in a predetermined manner in a menu representation on the display screen in accordance with a continuous signal from said pointing device for a predetermined time period.

END OF AMENDMENT

***Allowable Subject Matter***

Claims 1, 9, 10, 17, 20, 23-25, 27-29, 31 and 33-35 are allowed.

The following is an examiner's statement of reasons for allowance:

None of the cited references either alone or in combination suggest the subject matter as described in the amended Independent claims. As such, Claims 1, 9, 10, 17, 20, 23-25, 27-29, 31 and 33-35 are found to be allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PIERRE-LOUIS DESIR whose telephone number is (571)272-7799. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PIERRE-LOUIS DESIR/  
Examiner, Art Unit 2617

/Dwayne D. Bost/  
Supervisory Patent Examiner,  
Art Unit 2617